GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Prohibition & Excise Department -Incorporation of a new Corporation under the name and style of Andhra Pradesh State Beverages Corporation Limited (APSBCL) under the Companies Act 2013– orders- issued.

REVENUE (EX.II) DEPARTMENT

G.O Ms.No.272. **Dated:16.07.2015.**

Read the following:-

1. G.O.Ms. No. 93, Rev(Ex-II)Deptt., Dated:10.03.2015.
2. From the Commissioner of Prohibition & Excise, A.P., Hyderabad Lr.Cr. No.3600/201/CPE/E3 Dt:22-06-2015.

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ORDER:

In the G.O. 1st read above, the Commissioner of Prohibition & Excise was authorised to import, export and conduct wholesale trade of Indian Made Foreign Liquor & Foreign Liquor by opening and running of wholesale Government Depots by the Prohibition and Excise Department. Accordingly, the Commissioner of Prohibition & Excise has established the wholesale depots for selling IMFL & FL and conducting Whole Sale Trading, since 12.03.2015.

2. The Prohibition & Excise Department is a major regulatory Department in the State and entrusted with the responsibility of the regulation of intoxicants and alcohol, besides realization of revenue in the form of Excise Duty, Licence fee etc, arresting Revenue Pilferage and control of crime relating to the intoxicant and alcoholic preparation. The main thrust of the Department is to prevent circulation of spurious liquor, illicit distilled arrack and inflow of non duty paid liquor. Since, the State Excise Department is a regulatory Department for controlling and regulating the intoxicants of which liquor forms the major part; it is felt not desirable to conduct wholesale trading in the long run by the Prohibition & Excise Department itself.

3. While declaring the new Excise Policy for the Excise year 2015-16, to eliminate cartels and other undesirable elements entering into liquor trade, the Government have decided that *"a minimum of 10 % of the shops to be licenced will be run directly by the new corporation proposed to be created in the place of APBCL".*

4. The Commissioner of Prohibition & Excise, A.P., Hyderabad in the letter 2nd read above has submitted proposals for incorporation of new Corporation for doing whole sale trade in liquor and spirits.

5. Government, after careful consideration, hereby accord sanction to incorporate a new Corporation in the name and style of the Andhra Pradesh State Beverages Corporation Limited (APSBCL), as a Public Limited Company under Companies Act 2013, with Regd. Office at 1st Floor, Proh. & Excise Complex, Door No 5-69-55/9.A, Taluk Office compound, 6/1, Brodipet, Guntur–522 002, with the following objects:

a. To carry on the business as manufacturer, purchaser, producer, processor, grower, fermentator, distiller, refiner, maker, inventor, convertor, importer, exporter, indenter, bottler, trader, buyer, seller, retailer, wholesale supplier, packer, mover, preserver, stockist, representative or agent, sub-agent, commission agent, more particularly as an agent on commission to handle such activity or activities on behalf of the Government of Andhra Pradesh in connection with the Government's wholesale and retail trade in alcohol, merchant, distributor, consignor, jobber, broker, trustees, attorneys, concessionaire or otherwise to deal in all kinds of alcohol and all other beverages and mineral waters suitable for human consumption.

b. To carry on the business as manufacturer, purchaser, producer, processor, grower, fermentator, distiller, refiner, maker, inventor, convertor, importer, exporter, indenter, bottler, trader, buyer, seller, retailer, wholesale supplier, packer, mover, preserver, stockist,

representative or agent, sub-agent, commission agent, more particularly as an agent for the Government of Andhra Pradesh in connection with the Government's wholesale and retail trade in alcohol, merchant, distributor, consignor, jobber, broker, trustees, attorneys , concessionaire or otherwise to deal in rectified spirits, all kinds of alcohol and other spirits suitable for industrial use.

6. The Memorandum of Association (MOA) and Articles of Association (AOA) of the AP State Beverages Corporation Limited (APSBCL) are hereby approved and appended to this order.

7. The following shall be the Board of Directors to the AP State Beverages Corporation Limited (APSBCL)as detailed below:

1) Spl CS to Govt., Revenue (CT & Excise), A.P.
2) Commissioner of Prohibition and Excise, AP
3) Director of Enforcement, Prohibition & Excise Dept.,

8. The following shall be the subscriber to the MOA of the Corporation on behalf of Governor of Andhra Pradesh, who will hold 494 shares of the face value of Rs. 1,000/- each of the Corporation:

Deputy Secretary, Revenue (EX) Department
(Governor Representative)

9. The following shall be the other authorised subscribers to the Memorandum of Association (MOA) of the corporation who will hold one share each (value of Rs.1,000/-), of the Corporation:

1) Commissioner of Prohibition & Excise
2) Director of Enforcement, Prohibition & Excise
3) Addl. Commir, Prohibition & Excise
4) Asst. Secry to Govt, Rev(Ex),
5) Section Officer, Revenue (Ex.II) Department
6) Asst Section Officer, Revenue (Ex.II) Department

10. The authorised share capital of the Corporation shall be Rs.10.00 lakhs with initial paid up capital of Rs.5.00 lakhs.

11. The Commissioner of Prohibition & Excise is hereby accorded permission to release an initial amount of Rs.5.00 lakhs from the amount of sale proceeds of IMFL towards the Government's share capital contribution to the new company.

12. Sanction is hereby accorded for the expenditure of an amount of Rs. 1.00 lakh to be incurred towards the registration of new corporation under companies Act towards filing fees, registration fee, stamp duty, printing charges, professional fee for engaging Company Secretary etc.

13. The Commissioner of Prohibition & Excise is hereby authorised to meet the above expenditure from the amount of sale proceeds of IMFL.

14. The Commissioner of Prohibition & Excise A.P., Hyderabad shall take further necessary action accordingly in the matter.

(**BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise A.P Hyderabad.
Copy to:
The PS to Prl Secy to CM(SC)
The PS to M (Excise)
The Finance (EBS.VIII. Rev. I &C) / (BG-V) Department.
The Public Enterprise Department
The Law (H) Department
The PS to Special Chief Secretary to Govt, Rev. Deptt.

//FORWARDED:: BY ORDER//

SECTION OFFICER